IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1502 OF 2006

IN

FIRST APPEAL NO. 843 OF 2006

Arvind Manikchand Shah
& Ors. .. Applicants.

vs.

Manikchand Lilachand Shah
& Ors. .. Respondents.

Mr. T.N. Sonawane h/f M.M. Sathaye
for Applicants.
None for Respondents.

Coram: J.N. PATEL &,
SMT. R.S. DALVI, JJ.
Date: 10TH APRIL, 2007.

P.C.

. Heard.

2. The application is allowed. The necessary amendment be carried out within two weeks.

3. Issue notice to the newly added respondents returnable within six weeks.

4. The learned counsel for the applicants submits that so far as office objection relating to the heirs of the original plaintiff having not brought on record in the certified copy of the suit decree, it is submitted that it was for the co-plaintiff to have taken the steps in the matter as the applicants are defendants and they have already moved this Court for bringing the heirs of deceased respondent no. 1 who was the original plaintiff on the file. In spite of that, the learned Counsel for the applicants submits that he has furnished the corrected copy of the decree. Therefore, even otherwise also the office objection does not survive. The application for stay to be considered after the LRs are served.

(J.N. Patel, J.)

(Smt. R.S. Dalvi, J.)